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OFFICE OF PETITIONS

In re Application of :
Downes, et al. :
Application No.: 10/658,115 :
Filed: September 8, 2003 :
Attorney Docket No.: SALK3130-1(088802-9702) :
For: NON-STEROIDAL FARNESOID X
RECEPTOR MODULATORS AND METHODS
FOR THE USE THEREFOR

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed February 28, 2005.

The petition is granted.

Petitioners have shown that non-signing inventors Hughes, Nicolaou, and Roecker have refused to join in the filing of the above-identified application. Specifically, the declaration by Attorney Sheila R. Kirschenbaum and accompanying exhibits to the declaration establish that the non-signing inventors' attorney was successfully mailed a copy of the application papers, but in a letter dated April 6, 2004 the non-signing inventors' attorney stated that his clients would not sign the enclosed declaration. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition/declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is written in a cursive, flowing style.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions